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Attorneys for Defendant Boston Scientific Corporation

UNITED STATES DISTRICT COURT
EASTERN DISTRICT

PAMELA COLEMAN, an individual,
Plaintiff,
vs.
BOSTON SCIENTIFIC
CORPORATION, a Massachusetts
corporation, and DOE
MANUFACTURERS one through one
hundred,
Defendants.

) Case No. 1:10-CV-01968-OWW-SKO

) Judge: Hon. Oliver W. Wanger
Dept.: 3

) **STIPULATION AND JOINT
REQUEST TO CONTINUE
SCHEDULING CONFERENCE
AND ORDER**

) Complaint filed: 10/20/2010
Trial Date: None set

TO THE COURT AND ALL ATTORNEYS OF RECORD:

Plaintiff Pamela Coleman and Defendant Boston Scientific Corporation (“BSC”), by and through their counsel of record, stipulate to and jointly request a continuance of the Scheduling Conference based on the following:

1. The Court scheduled a Scheduling Conference for July 22, 2011. (See Court's April 12, 2011 Minute Order, Doc. No. 26.)

2. BSC was served with the first amended complaint on or about June 17, 2011.

3. On July 7, 2011, BSC moved to dismiss this action. (*See* Doc. No. 34.) BSC's motion was originally noticed for August 15, 2011 at 10:00 a.m.

4. On July 11, 2011, the parties stipulated to continue the Scheduling Conference to August 26, 2011 to allow BSC's motion to dismiss to be heard prior to the Scheduling Conference and the submission of the joint scheduling conference statement. (*See* Doc. No. 37.)

5. On July 12, 2011, the Court issued an order granting the stipulation and setting the Scheduling Conference for August 26, 2011. (*See* Doc. No. 38.) Pursuant to the Court's October 21, 2010 Order (Doc. No. 6) a joint scheduling conference statement is due on or before August 19, 2011.

6. On August 2, 2011, the Court issued a minute order continuing the hearing on BSC's motion to dismiss from August 15, 2011 to August 22, 2011.

7. All parties have agreed and respectfully request that the Scheduling Conference be continued to September 16, 2011, or to a date preferred by this Court, in order for Defendants' Motion to Dismiss and Plaintiffs' Opposition thereto to be considered.

8. There is good cause to continue the scheduling conference until after the Court issues a ruling on BSC's motion to dismiss.

IT IS HEREBY STIPULATED, subject to the approval of the Court, that the Scheduling Conference currently set for August 26, 2011, be continued to October 20, 2011, or a date more convenient for the Court.

Dated: August 16, 2011

Respectfully Submitted,

SHOOK, HARDY & BACON L.L.P.

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2 Dated: August 16, 2011

GIARDI KEESE

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4 By: /s/Amanda Kent
5 (authorized on August 16, 2011)
6 Thomas V. Girardi
7 Amy F. Solomon
8 Michael Kowsari
9 Amanda Kent
10 Attorneys for Plaintiff

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12 The Scheduling Conference scheduled for August 26, 2011, is hereby continued
13 to October 20, 2011.

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15 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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17 Dated: August 17, 2011 __

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19 /s/ OLIVER W. WANGER
20 Honorable Oliver W. Wanger
21 United States District Judge

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